

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



COLUMBIA GAS TRANSMISSION, LLC,

Plaintiff,

v.

ACTION NO. 2:12cv172

AARON OTT,

Defendant.

FINAL ORDER

This matter comes before the court on the Defendant's Motion for Summary Judgment, filed June 6, 2013, and on the Plaintiff's Motion for Summary Judgment, filed June 20, 2013. The Motions were referred to United States Magistrate Judge Lawrence R. Leonard by Order on July 3, 2013, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the Motions.

The United States Magistrate Judge's Report and Recommendation was filed on September 27, 2013. The Magistrate Judge recommended granting the Plaintiff's Motion for Summary Judgment and denying the Defendant's Motion for Summary Judgment. By copy of the Report and Recommendation, the parties

were advised of their right to file written objections thereto. On October 11, 2013, the court received the Defendant's Objections to the Magistrate Judge's Report and Recommendation, and on October 25, 2013, the court received the Plaintiff's Response to the Objections.

The court, having examined the Objections and Response to the Objections to the Report and Recommendation and having made de novo findings with respect thereto, does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed September 27, 2013. Accordingly, the court **GRANTS** the Plaintiff's Motion for Summary Judgment and **DENIES** the Defendant's Motion for Summary Judgment.

The Clerk shall enter judgment for the Plaintiff and the case is **DISMISSED** from the docket. The Clerk shall forward a copy of this Final Order to counsel for the parties.

IT IS SO ORDERED.

/s/
Rebecca Beach Smith
Chief
United States District Judge



REBECCA BEACH SMITH
CHIEF UNITED STATES DISTRICT JUDGE

October 28, 2013